

Auburn Planning Board Meeting Minutes September 14, 2021

1. ROLL CALL:

Regular Members present: Evan Cyr, Darren Finnegan, Dana Staples, Riley Bergeron, Mathieu Duvall - Presiding, Stacey LeBlanc and Stephen Martelli,

Regular Members absent: None

Associate and other Members present: Joseph Morin and Brian DuBois

Associate and other Members absent: None

Also present representing City staff: Eric Cousens, Director of Planning & Permitting and John Blais, Urban Development Specialist.

Chairperson Duvall called the meeting to order at 6:00 pm and asked for a roll call.

2. MINUTES: Approval request of the August 10, 2021 meeting minutes.

A motion was made by Dana Staples and seconded by Evan Cyr to approve the August 10, 2021, meeting minutes as presented. After a vote of 7-0-0, the motion passed.

3. **PUBLIC HEARING/SPECIAL EXCEPTION: Proposed 128-unit multifamily project located on Mt. Auburn Avenue (PID 279-004,006-001 & 007) in the General Business Zoning District. The project will consist of two, 4-story apartment buildings connected by a clubhouse complete with leasing office, gym, pool, and parking. Each building includes 64 units with a mix of one and two-bedroom units. (Staff recommends tabling decision until October 12th to address traffic).**

A motion was made by Dana Staples and seconded by Evan Cyr to table this item until the October 12th meeting. After a vote of 7-0-0, the motion passed.

4. **ZONING MAP AMENDMENT/PUBLIC HEARING: Proposed Amendment to the Low-Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone to expand from a Width of 450 feet to a Width of 750 Feet from center line of roadways. Discuss updated maps with Planning Board members.**

John went over the staff report and presented slides on the screen. He introduced Rosemary Mosher, Auburn GIS Manager and Karen Scammon, Auburn City Assessor. Rosemary explained how to navigate the GIS maps on the City's website. Karen spoke about the potential tax / assessment changes if this goes through and answered a couple of questions from Board members.

(46:50 on YouTube Recording)

John continued with the presentation explaining the Comprehensive Plan Tie-In and the schedule / timeline for this item. After the presentation, he and Eric answered questions from Board members.

(1:18:50 on YouTube Recording)

Open Public Input

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Mike Desgarier of 9 Tranquil Cove in Casco, Maine, spoke regarding 790 Pownal Road and wanted to point out that density is not the issue.

Mike Parent of 275 Dillingham Hill Road said he would not be opposed to an expansion going up Johnson Road.

Stephen Beale of 575 Johnson Road spoke about the maps being incorrect when he met with the Planning Department, but John explained that they had been corrected.

Cynthia Alexander, resident of 582 West Auburn Road said she was very concerned about this plan because of the proximity of the watershed. She said she would never put a building in her backyard and hopes her neighbors don't either. She is requesting that West Auburn Road be removed from this plan.

Fred Holler of 352 West Auburn Road stated his property is in the Lake Auburn Watershed and asked if the Dingley Estate and Whiting Farm were up for development.

Scott Alexander who resides at 582 West Auburn Road said his land is unbuildable due to the wetlands on his property. He hopes that if what's proposed goes through, that this is taken into consideration.

Bruce Bickford of 64 Cameron Lane said he would like to retire and stay where he grew up. He said he's disabled and would like to be able to build a ranch on his 9.5-acre lot, but it's in the Ag zone and is not included in this proposal. He said he was going to introduce a bill this coming year that would eliminate income standards on any and all agricultural land in the State of Maine.

Mindy Letourneau of Beaver Road asked if the City of Auburn would consider a zoning contract with regards to this residential change. She spoke about the protection of migration areas and vernal pools near Beaver Pond and asked who could help assess open space designations.

Michael Morrisey who resides at 825 Perkins Ridge Road asked why the strip at 205 and 405 Youngs Corner Road was expanded more than the 750 feet. He said it seems somebody has something planned for this property. He added that we need more information and need to get better numbers.

Andie Wishman of 1471 Riverside Drive said most of her land is wetland, the road is dangerous, has seen many accidents with vehicles causing damage on her property, and that the traffic is horrendous in that area. She said by changing the zoning, her taxes would go up and the number of animals she can

have would also change.

Jason Levesque of 205 Youngs Corner Road said he'd much rather have his neighbor build a house or a garage or a shed in their backyard than have 13 acres or 3 acres or 1 acre of marijuana or strip mine or sanding gravel pit or another use that is allowed in the Ag zone. He said there's one aspect of taxes that we aren't talking about which is how the City levy's your tax dollars or sets that mil rate and that's based upon our budget so if everybody that is in the strip zone area has a tax increase of \$100 or \$150, combined that's a substantial amount of revenue. But if the City is conservative, then the mil rate goes down which normalizes taxes across the entire city.

(1:47:05 on YouTube Recording)

Fred Redmun of 1201 Old Danville Road said one of his biggest concerns if this gets approved, is that his taxes could go up as much as \$700 and asked if what's behind this proposal is for the city to get extra money. He said he may be forced to do something he doesn't want to do and that's to sell his property.

Russell Libby who resides at 730 Perkins Ridge Road asked how far the expansion was proposed down Youngs Corner Road. His questions were answered by showing the maps on the screen.

Corey Pelton of 386 South Witham Road said he purchased the property because of the view and did not want any neighbors and stated he would like South Witham to be taken off the potential areas of zone changes.

Kimberly Davis of 433 Hackett Road asked if the proposed development on the 5-acre lot across from her property is still being looked at as it will affect the future plans on her property.

John Wilson of 183 Johnson Road asked how much of his property was in the watershed. John Blais stated there isn't any expansion for that property as it is already at the 750' mark.

Ken Violette of 181 Stone Road questioned why he couldn't build a home more than 450 feet back since he owned the land and pays taxes on it. He said he was in favor of the proposal.

John Keene who resides at 1159 Old Danville Road said he likes the property the way it is and likes the open space behind his property. He said he appreciates the Board hearing from the property owners and abutters and said he would like to see the strip in the back removed near Moose Point Road.

Richard Whiting of 24 Beaver Road said he was the Co-Chair of the 2010 Comprehensive Planning Committee. He said they were looking for more of an incremental gradual approach and that this was too much too fast. He said more time should be spent by the Comp Plan Committee and letting people have their say. Some changes could be made in appropriate places but definitely not expanding development in the Lake Auburn Watershed Overlay district. He said expanding services in places that may not be able to support them in outlying areas could raise taxes so he would urge caution and slowing down.

Chris Carson from 110 Jacques Road agreed with Mr. Whiting and would encourage the Board to slow

down and consider that they are about to look at a new Comprehensive Plan.

(2:01:40 on YouTube Recording)

Close Public Input

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Chairperson Duvall stated that there were 2 Associate members present on the Board that would not be making motions or voting this evening.

The following are some answers to questions that were brought up during the public input section of the meeting:

- Evan Cyr – Contact City Councilor for clarification as to why something is occurring in the City and to voice your opinion and for those with questions regarding their individual properties, should contact the Planning Department
- Evan Cyr – Re: Dingley Property and Whiting Farm area, it is in the watershed based on the maps shown.
- Chairperson Duvall – Re: Future Land Use Plan, does it change the zoning in that area? Rosemary answered no it does not.
- Evan Cyr – Re: Why residential zones were not extended further. Eric replied that 63 Cameron Lane does not have an existing residential strip on the south side of Washington Street
- Evan Cyr – Re: a zoning contract, Eric answered we don't have a provision that allows that in our Zoning ordinance, but it is something that's legally allowed and could be considered as an option.
- Evan Cyr – Why was the strip deeper than 750 feet on Youngs Corner Road and Eric said it was probably done in error.
- Evan Cyr – Why are we doing this was asked several times. Eric responded that new value does increase tax revenues, but they also come with service costs, so the land value increase is a new tax revenue that does not come with a service cost. He added that as people develop lots, there's a much lower average number of students than what we've typically seen in a cost of community service studies.
- Brian DuBois – Concerns about paying increased taxes for areas in properties that are not buildable. He asked if this is a blanket situation where taxes may increase or look at properties in a case-by-case basis. Eric replied that the Assessor will in some cases make adjustments to value based on real conditions on the lot.
- Chairperson Duvall – Some people suggested that West Auburn Road and South Witham Road be removed from the map strip extension.

(2:16:00 on YouTube Recording)

Dana Staples stated that he was the Chair of the 2020 Comp Plan Committee and sat on the Future Land Use Subcommittee. He said the changes that were made to the Future Land Use Plan was not with a strip zone expansion in mind. The City Council asked for the Comp Plan to be looked at and asked for this to be looked at so it's like the 2 are competing. He said based on that, he's inclined to vote no on this.

Stephen Martelli thanked the people for coming out and giving their opinions tonight. He said we need to look at how many lots are actually buildable rather than overall as it's not going to affect everyone in the city.

After further discussion amongst Board members, the following motion was made:

(2:28:45 on YouTube Recording)

A motion was made by Evan Cyr to forward a favorable recommendation to the City Council to expand the Rural Residential and Low-Density Country Residential strips an additional 300 feet and to do so specifically utilizing criteria #1, 2, 3 and 6 from the staff presentation. That would eliminate extending zones out around specific subdivisions and Taylor Pond. The motion was seconded by Stephen Martelli.

A motion was made by Stephen Martelli and seconded by Riley Bergeron to amend the original motion to table this until next month. After a vote of 4-2-1, the motion to Table carried. Evan Cyr and Stacey LeBlanc opposed, and Chairperson Duvall abstained.

5. PUBLIC HEARING/RECOMMENDATION COUNCIL: Comprehensive Plan Chapter 2: Future Land Use Plan (Draft Mapping & Zoning Updates).

A motion was made by Dana Staples and seconded by Evan Cyr to table this item based on the following:

- Incomplete agenda packet the Board received for this
- The Chapter of the Future Land Use Plan had differing zone names from the zones that are on the map – making it difficult to map between the two.
- The absence of the table for the map
- The absence of the growth map that was shown on the 2010 Comp Plan slides.

After a vote of 7-0-0, the motion carried.

6. PUBLIC COMMENT:

Ellery Keene from Winslow, Maine commented that the existing Future Land Use maps don't show lot lines. He said lot lines and roads should be shown to be able to make better decisions.

Bill Sylvester of Riverside Drive asked if the Ag Committee was asked for an opinion on the Ag zoning strips. Chairperson Duvall said they had not. Mr. Sylvester said a memo had been sent 2-3 weeks earlier.

A gentleman asked if West Auburn Road was decided to be residential zoning, how does that impact the decision on the horse farm at 616 West Auburn Road?

John Keene who resides at 1159 Old Danville Road stated that if you are going to recommend an Urban Residential area you should have public sewer services attached to that or have a plan in place.

7. ATTENDANCE DISCUSSION: Possible executive session; personnel matter, pursuant to 1 M.R.S.A Sec 405 (6) (a).

A motion was made by Evan Cyr and seconded by Stephen Martelli to enter into Executive Session pursuant to 1 M.R.S.A Sec 405 (6) (a). After a vote of 7-0-0, the motion carried.

Chairperson Duvall said the Board would take a 5-minute break prior to going into Executive Session.

8. MISCELLANEOUS:

9. ADJOURNMENT:

A motion was made by Evan Cyr and seconded by Stephen Martelli to adjourn. After a vote of 7-0-0, the motion carried.